

Application No. 10/005,804  
Amendment dated September 29, 2005  
After Final Office Action of July 18, 2005

Docket No.: 47309-00031USP1

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions and listings of claims in the application:

Claims 1-7 (Cancelled)

8. (Currently Amended) The multi-layer barrier of claim 5 26, wherein the pesticide is lambda cyhalothrin.

9. (Currently Amended) The multi-layer barrier of claim 5 26, wherein the polymeric matrix is made from low density polyethylene.

Claims 10-11 (Cancelled)

12. (Currently Amended) The multi-layer barrier of claim 4 26 further comprising at least one strength and resistance layer for providing strength and puncture resistance to the barrier.

13. (Original) The multi-layer barrier of claim 12, wherein the strength and resistance layer is made of a polymeric scrim.

Claim 14 (Cancelled)

15. (Currently Amended) The multi-layer barrier of claim 4 26, wherein the pesticide is effective against termites, wood-boring ants, and wood-boring insects.

16. (Currently Amended) The multi-layer barrier of claim 4 26, wherein the barrier is shaped to surround an area or a structure.

Claim 17 (Cancelled)

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18. (Currently Amended) The multi-layer barrier of claim § 26, wherein the polymeric matrix comprises a polymer and further comprises a carrier to adjust the release rate of the pesticide from the polymeric matrix.

Claims 19-25 (Cancelled)

26. (Currently Amended) A multi-layer barrier against wood pests comprising:  
at least one continuous pesticide-releasing layer comprising a polymeric matrix, the  
pesticide-releasing layer containing a pesticidally effective amount of at least one pesticide for  
wood pests bound within the polymeric matrix; and  
at least one pesticide-retaining layer positioned parallel to the pesticide-releasing layer,  
the pesticide-retaining layer releasing only minute amounts of the pesticide therethrough such  
that substantially no pesticide is released from the barrier, the release from the barrier at a rate  
which is less than 0.4  $\mu\text{g}/\text{cm}^2/\text{day}$ , the wood pests being prevented from breaching the barrier,  
wherein the pesticide-retaining layer comprises a coextruded multi-layered barrier film, and ~~The~~  
~~barrier of claim 2,~~ wherein the coextruded multi-layered barrier film consists of low density  
polyethylene, vinylidene chloride/vinyl chloride copolymer, ethylene/vinyl acetate copolymer,  
and silicon dioxide.

Claims 27-33 (Cancelled)

34. (Currently Amended) The barrier of claim § 26, wherein the pesticide is present in an amount such that its supply is not exhausted before approximately 10 years.

35. (Currently Amended) The barrier of claim § 26, wherein the pesticide is present in an amount of at least 5% by weight.

36. (Currently Amended) The barrier of claim § 26, wherein the pesticide is present in an amount of at least 10% by weight.

Claims 37-38 (Cancelled)

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39. (Currently Amended) The barrier of claim ~~5~~ 26, wherein the pesticide is a low volatility pesticide.

Claims 40-42 (Cancelled)

43. (Previously Presented) The barrier of claim 18, wherein the pesticide is combined with the carrier to form a bound friable mix and the bound friable mix is added to the polymeric matrix, the carrier comprising carbon black.

44. (Currently Amended) The barrier of claim ~~5~~ 26, wherein the pesticide is mixed with at least one fungicide.

Claims 45-80 (Cancelled)

81. (Currently Amended) The multi-layer barrier of claim ~~80~~ 87, wherein the pesticide is lambda cyhalothrin.

82. (Currently Amended) The multi-layer barrier of claim ~~80~~ 87, wherein the polymeric matrix is made from low density polyethylene.

83. (Currently Amended) The multi-layer barrier of claim ~~77~~ 87 further comprising at least one strength and resistance layer for providing strength and puncture resistance to the barrier.

84. (Previously Presented) The multi-layer barrier of claim 83, wherein the strength and resistance layer is made of a polymeric scrim.

85. (Currently Amended) The multi-layer barrier of claim ~~77~~ 87, wherein the pesticide is effective against termites, wood-boring ants, and wood-boring insects.

86. (Currently Amended) The multi-layer barrier of claim ~~77~~ 87, wherein the barrier is shaped to surround an area or a structure.

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87. (Currently Amended) A multi-layer barrier against wood pests comprising:  
at least one continuous pesticide-releasing layer comprising a polymeric matrix, the  
pesticide-releasing layer containing a pesticidally effective amount of at least one pesticide for  
wood pests bound within the polymeric matrix; and  
at least one pesticide-retaining layer positioned parallel to the pesticide-releasing layer,  
the pesticide-retaining layer releasing only minute amounts of the pesticide therethrough such  
that substantially no pesticide is released from the barrier, the release from the barrier at a rate  
which is less than 0.4  $\mu\text{g}/\text{cm}^2/\text{day}$ , the wood pests being prevented from breaching the barrier,  
wherein the pesticide-retaining layer comprises a coextruded multi-layered barrier film.~~The~~  
barrier of claim 78; wherein the coextruded multi-layered barrier film consists of low density  
polyethylene, vinylidene chloride/vinyl chloride copolymer, ethylene/vinyl acetate copolymer,  
and silicon dioxide,  
wherein the polymeric matrix further comprises a carbon black carrier to adjust the  
release rate of the pesticide from the polymeric matrix.

88. (Currently Amended) The barrier of claim ~~80~~ 87, wherein the pesticide is present in an amount such that its supply is not exhausted before approximately 10 years.

89. (Currently Amended) The barrier of claim ~~80~~ 87, wherein the pesticide is present in an amount of at least 5% by weight.

90. (Currently Amended) The barrier of claim ~~80~~ 87, wherein the pesticide is present in an amount of at least 10% by weight.

91. (Currently Amended) The barrier of claim ~~80~~ 87, wherein the pesticide is a low volatility pesticide.

Claim 92 (Cancelled)

93. (Currently Amended) The barrier of claim ~~80~~ 87, wherein the pesticide is mixed with at least one fungicide.

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Claims 94-97 (Cancelled)

98. (Currently Amended) The multi-layer barrier of claim 97 107, wherein the pesticide is selected from pyrethroids, isofenphos, fenvalerate, pyrethrin, and combinations thereof.
99. (Currently Amended) The multi-layer barrier of claim 97 107, wherein the pesticide is selected from tefluthrin, permethrin, lambda cyhalothrin, deltamethrin, cypermethrin, cyfluthrin, and combinations thereof.
100. (Currently Amended) The multi-layer barrier of claim 97 107, wherein the pesticide is lambda cyhalothrin.
101. (Currently Amended) The multi-layer barrier of claim 97 107, wherein the polymeric matrix is made from low density polyethylene.
102. (Currently Amended) The multi-layer barrier of claim 94 107 further comprising at least one strength and resistance layer for providing strength and puncture resistance to the barrier.
103. (Previously Presented) The multi-layer barrier of claim 102, wherein the strength and resistance layer is made of a polymeric scrim.
104. (Currently Amended) The multi-layer barrier of claim 94 107, wherein the pesticide is effective against termites, wood-boring ants, and wood-boring insects.
105. (Currently Amended) The multi-layer barrier of claim 94 107, wherein the barrier is shaped to surround an area or a structure.
106. (Currently Amended) The multi-layer barrier of claim 97 107, wherein the polymeric matrix comprises a polymer and further comprises a carrier to adjust the release rate of the pesticide from the polymeric matrix.
107. (Currently Amended) A multi-layer barrier against wood pests comprising:

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at least one continuous pesticide-releasing layer comprising a polymeric matrix, the pesticide-releasing layer containing a pesticidally effective amount of at least one pesticide for wood pests bound within the polymeric matrix; and

at least one pesticide-retaining layer positioned parallel to the pesticide-releasing layer, the pesticide-retaining layer releasing only minute amounts of the pesticide therethrough such that substantially no pesticide is released from the barrier, the wood pests being prevented from breaching the barrier, wherein the pesticide-retaining layer comprises a coextruded multi-layered barrier film. The barrier of claim 95, wherein the coextruded multi-layered barrier film consists of low density polyethylene, vinylidene chloride/vinyl chloride copolymer, ethylene/vinyl acetate copolymer, and silicon dioxide.

108. (Currently Amended) The barrier of claim 97 107, wherein the pesticide is present in an amount of at least 5% by weight.

109. (Currently Amended) The barrier of claim 97 107, wherein the pesticide is present in an amount of at least 10% by weight.

110. (Currently Amended) The barrier of claim 97 107, wherein the pesticide is a low volatility pesticide.

111. (Previously Presented) The barrier of claim 106, wherein the pesticide is combined with the carrier to form a bound friable mix and the bound friable mix is added to the polymeric matrix, the carrier comprising carbon black.

112. (Currently Amended) The barrier of claim 97 107, wherein the pesticide is mixed with at least one fungicide.

Claims 113-116 (Cancelled)

117. (Currently Amended) The multi-layer barrier of claim 116 125, wherein the pesticide is selected from pyrethroids, isofenphos, fenvalerate, pyrethrin, and combinations thereof.

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118. (Currently Amended) The multi-layer barrier of claim ~~116~~ 125, wherein the pesticide is selected from tefluthrin, permethrin, lambda cyhalothrin, deltamethrin, cypermethrin, cyfluthrin, and combinations thereof.
119. (Currently Amended) The multi-layer barrier of claim ~~116~~ 125, wherein the pesticide is lambda cyhalothrin.
120. (Currently Amended) The multi-layer barrier of claim ~~116~~ 125, wherein the polymeric matrix is made from low density polyethylene.
121. (Previously Presented) The multi-layer barrier of claim 115 further comprising at least one strength and resistance layer for providing strength and puncture resistance to the barrier.
122. (Previously Presented) The multi-layer barrier of claim 121, wherein the strength and resistance layer is made of a polymeric scrim.
123. (Currently Amended) The multi-layer barrier of claim ~~113~~ 125, wherein the pesticide is effective against termites, wood-boring ants, and wood-boring insects.
124. (Currently Amended) The multi-layer barrier of claim ~~113~~ 125, wherein the barrier is shaped to surround an area or a structure.
125. (Currently Amended) A multi-layer barrier against wood pests comprising:  
at least one continuous pesticide-releasing layer comprising a polymeric matrix, the pesticide-releasing layer containing a pesticidally effective amount of at least one pesticide for wood pests bound within the polymeric matrix; and  
at least one pesticide-retaining layer positioned parallel to the pesticide-releasing layer, the pesticide-retaining layer releasing only minute amounts of the pesticide therethrough such that substantially no pesticide is released from the barrier, the wood pests being prevented from breaching the barrier, wherein the pesticide-retaining layer comprises a coextruded multi-layered barrier film. ~~The barrier of claim 114, wherein the coextruded multi-layered barrier film consists~~

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of low density polyethylene, vinylidene chloride/vinyl chloride copolymer, ethylene/vinyl acetate copolymer, and silicon dioxide,

wherein the polymeric matrix further comprises a carbon black carrier to adjust the release rate of the pesticide from the polymeric matrix.

126. (Currently Amended) The barrier of claim ~~116~~ 125, wherein the pesticide is present in an amount of at least 5% by weight.

127. (Currently Amended) The barrier of claim ~~116~~ 125, wherein the pesticide is present in an amount of at least 10% by weight.

128. (Currently Amended) The barrier of claim ~~116~~ 125, wherein the pesticide is a low volatility pesticide.

Claim 129 (Cancelled)

130. (Currently Amended) The barrier of claim ~~116~~ 125, wherein the pesticide is mixed with at least one fungicide.

Claim 131 (Cancelled)